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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF WASHINGTON

7 ZACHARY DUNLAP,

8 Plaintiff,

9 v.

10 COMMISSIONER OF SOCIAL
11 SECURITY,

12 Defendant.

NO: 1:18-CV-3179-TOR

ORDER GRANTING STIPULATED
MOTION FOR REMAND

13 BEFORE THE COURT are the Plaintiff's Motion for Summary Judgment
14 (ECF No. 11) and the parties' Stipulated Motion for Remand (ECF No. 12). The
15 Court has reviewed the record and files therein, and is fully informed. For the
16 reasons discussed below, the Court grants the parties' motion to remand and denies
17 Plaintiff's motion as moot.

18 **ACCORDINGLY, IT IS HEREBY ORDERED:**

- 19 1. Plaintiff's Motion for Summary Judgment (ECF No. 11) is **DENIED** as
20 moot.

1 2. The parties' Stipulated Motion for Remand (ECF No. 12) is **GRANTED**.

2 This case is **REVERSED** and **REMANDED** pursuant to sentence four
3 of 42 U.S.C. § 405(g) for further administrative proceedings. On
4 remand, the Commissioner will:

- 5 • Offer the claimant the opportunity for a new hearing;
 - 6 • Re-evaluate whether the claimant's impairments meet or equal Listing
7 12.04;
 - 8 • Obtain medical expert testimony to further evaluate the nature and
9 severity of the claimant's mental impairments, if necessary;
 - 10 • Re-assess the opinion evidence pursuant to 20 C.F.R. § 416.927;
 - 11 • Re-assess the claimant's symptom testimony in accordance with
12 Social Security Ruling (SSR) 16-3p;
 - 13 • Re-assess the lay testimony;
 - 14 • Re-assess the claimant's residual functional capacity in accordance
15 with SSR 96-8p;
 - 16 • If warranted, obtain vocational expert evidence and determine
17 whether the vocational expert evidence is consistent with the
18 Dictionary of Occupational Titles, pursuant to SSR 00-4p; and
19 • Issue a new decision.
- 20

1 3. Plaintiff shall be entitled to shall be entitled to reasonable attorney fees
2 and expenses pursuant to 28 U.S.C. § 2412(d), as well as costs pursuant
3 to 28 U.S.C. § 1920, upon proper request to this Court.

4 The District Court Executive is hereby directed to file this Order, enter
5 Judgment accordingly, provide copies to counsel, and **CLOSE** this file

6 **DATED** March 12, 2019.



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A handwritten signature in blue ink that reads "Thomas O. Rice".

THOMAS O. RICE
Chief United States District Judge